

**APPENDIX C**  
**PORT EVERGLADES HARBOR IMPROVEMENT AND**  
**MAINTENANCE DREDGING**  
**FLORIDA COASTAL ZONE CONSISTENCY PROGRAM**  
**FEDERAL CONSISTENCY EVALUATION PROCEDURE**

1. Chapter 161, Beach and Shore Preservation. The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

**Consistency Statement:** The purpose of the proposed action is to improve and maintain safe navigation depths in Port Everglades Harbor, Broward County, Florida. Information will be submitted to the State for a permit in compliance with this chapter.

2. Chapters 186 and 187, State and Regional Planning. These chapters establish the State Comprehensive Plan, which sets goals that articulate a strategic vision of the State's future. It's purpose is to define in a broad sense, goals, and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic and physical growth.

**Consistency Statement:** The work has been coordinated with the State without objection.

3. Chapter 252, Disaster Preparation, Response and Mitigation. This chapter creates a state emergency management agency, with the authority to provide for the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

**Consistency Statement:** This chapter does not apply.

4. Chapter 253, State Lands. This chapter governs the management of submerged state lands and resources within state lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and artificial reefs.

**Consistency Statement:** The proposed activity will be coordinated with the State and appropriate State permits will be obtained. The proposed action will be consistent with the intent of this chapter.

5. Chapters 253, 259, 260, and 375, Land Acquisition. This chapter authorizes the state to acquire land to protect environmentally sensitive areas.

**Consistency Statement:** As the property is already in public ownership, these chapters do not apply.

6. Chapter 258, State Parks and Aquatic Preserves. This chapter authorizes the state to manage state parks and preserves. Consistency with this statute would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs, management or operations.

**Consistency Statement:** The proposed action will remove 1.19 acres of mangrove habitat and 0.9 acres of uplands within John Lloyd SRA. These losses will be mitigated.

7. Chapter 267, Historic Preservation. This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

**Consistency Statement:** The proposed action was coordinated with the State Historic Preservation Officer (SHPO) and is consistent with the intent of this chapter.

8. Chapter 288, Economic Development and Tourism. This chapter directs the state to provide guidance and promotion of beneficial development through encouraging economic diversification and promoting tourism.

**Consistency Statement:** The proposed improvements and maintenance thereof is consistent with the goals of this chapter.

9. Chapters 334 and 339, Public Transportation. This chapter authorizes the planning and development of a safe balanced and efficient transportation system.

**Consistency Statement:** The proposed action will not adversely affect public transportation.

10. Chapter 370, Saltwater Living Resources. This chapter directs the state to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in state waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of the catch of each such species; and, to conduct scientific, economic, and other studies and research.

**Consistency Statement:** Marine crustacean, shell and andromous fishery resources will be temporarily impacted. Temporary and permanent impacts will occur within the marine and estuarine environment. These impacts will be mitigated.

11. Chapter 372, Living Land and Freshwater Resources. This chapter establishes the Florida Fish and Wildlife Conservation Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with

densities and distributions, which provide sustained ecological, recreational, scientific, educational, aesthetic, and economic benefits.

**Consistency Statement:** The work in the port will be consistent with the goals of this chapter.

12. Chapter 373, Water Resources. This chapter provides the authority to regulate the withdrawal, diversion, storage, and consumption of water.

**Consistency Statement:** This work does not involve water resources as described in this chapter.

13. Chapter 376, Pollutant Spill Prevention and Control. This chapter regulates the transfer, storage, and transportation of pollutants and the cleanup of pollutant discharges.

**Consistency Statement:** This work does not involve the transportation or discharge of pollutants. Conditions will be placed in the contract to handle inadvertent spills of pollutants such as vehicle fuels. The proposed action will comply with this chapter.

14. Chapter 377, Oil and Gas Exploration and Production. This chapter authorizes the regulation of all phases of exploration, drilling, and production of oil, gas, and other petroleum products.

**Consistency Statement:** The proposed action does not involve the exploration, drilling or production of oil, gas or other petroleum products; therefore this chapter does not apply.

15. Chapter 380, Environmental Land and Water Management. This chapter establishes criteria and procedures to assure that local land development decisions consider the regional impact nature of proposed large-scale development.

**Consistency Statement:** The proposed action is consistent with the intent of this chapter.

16. Chapter 388, Arthropod Control. This chapter provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the state.

**Consistency Statement:** The proposed action will be consistent with the goals of this chapter.

17. Chapter 403, Environmental Control. This chapter authorizes the regulation of pollution of the air and waters of the state by the Florida Department of Environmental Regulation (now a part of the Florida Department of Environmental Protection).

**Consistency Statement:** Appropriate State permits will be obtained for this project.

18. Chapter 582, Soil and Water Conservation. This chapter establishes policy for the conservation of the state soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both onsite or in adjoining properties affected by the project. Particular attention will be given to projects on or near agricultural lands.

**Consistency Statement:** The proposed action is not located near agricultural lands; therefore, this chapter does not apply.